

In response to the Court's order of September 6, 2016 requesting a status report from the parties informing the Court how they wish to proceed with the case, the remaining parties to the above-captioned action (as described below) have conferred and stipulate to the following:

- 1. By the Court's order of January 7, 2016 [Doc. 111], following Plaintiffs' Notice of Voluntary Dismissal of January 5, 2016 [Doc. 110], the case has been dismissed as against Defendant BMO Harris Bank, N.A. This disposed of all claims brought by Plaintiff William Hillick. The remaining parties to this action are Plaintiff Deborah Moss ("Plaintiff") and Defendants First PREMIER Bank and Bay Cities Bank (collectively, "Defendants").
- Plaintiff will file on or before October 3, 2016 a second amended complaint which will serve as the operative complaint in this matter. Defendants consent to the filing of an amended complaint.
- 3. Defendants anticipate filing motions to dismiss. The parties have agreed to a briefing schedule for the motions to dismiss, as follows:
  - a. Defendants' moving briefs will be filed on or before November 17, 2016.

- b. Plaintiff's response briefs will be filed on or before January 4, 2017.
- c. Defendants' reply briefs will be filed on or before January 24, 2017.
- 4. The parties agree that discovery proceedings are not ripe and should be stayed while the motions to dismiss are pending, and therefore request that the Court stay the scheduling of any Rule 16 conference and any other discovery deadlines until after the entry of an order resolving the motions to dismiss in full or in part.

Dated: September 27, 2016

Respectfully submitted,

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Pursuant to admission pro hac vice

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9/24/14

SO ORDERED:

Joseph F. Bianco, U.S.D.C.J.